

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KENDALL MILLER,

Defendant.

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8:18CR312

ORDER

This matter is before the court on the defendant, Kendall Miller's Unopposed Motion to Continue Trial [104]. Counsel needs additional time due to sentencing of co-defendant. For good cause shown,

IT IS ORDERED that the Motion to Continue Trial [104] is granted, as follows:

1. The jury trial, now set for September 7, 2021, is continued to **January 4, 2022**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendants in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and January 4, 2022**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(6), (7)(A) & (B)(iv).
3. **No further continuances will be granted without a hearing before the undersigned judge.**

DATED: August 17, 2021.

BY THE COURT:

**s/ Joseph F. Bataillon
Senior United States District Judge**